

EXHIBIT 1

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION
HONORABLE WESLEY L. HSU, U.S. DISTRICT JUDGE

MACKENZIE ANNE THOMA, a.k.a.)
KENZIE ANNE, on behalf of herself)
and all others similarly situated) CASE NO.
employees,) 23-CV-04901-WLH
Plaintiffs,)
vs.)
VXN GROUP LLC, a Delaware limited)
liability company; STRIKE 3)
HOLDINGS, LLC, a Delaware limited)
liability company; GENERAL MEDIA)
SYSTEMS, LLC, a Delaware limited)
liability company; MIKE MILLER, an)
individual; and DOES 1 to 100,)
inclusive,)
Defendants.)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

FRIDAY, JANUARY 5, 2024

10:01 A.M.

LOS ANGELES, CALIFORNIA

MAREA WOOLRICH, CSR 12698, CCRR
FEDERAL OFFICIAL COURT REPORTER
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1 you know, passingly appear. I don't think there's any question
2 that she is an award winning actress, starred in the films, was
3 seeking pay for it.

4 So the question really in my mind would be going
5 forward can she meet the *Wamboldt* test because she very likely,
6 if not compellingly, is a professional actress.

7 THE COURT: I mean, I'm not -- I don't mean to
8 suggest that I'm disputing what looks like a probable outcome
9 in the case. What I'm saying is all -- I think all I'm saying
10 is that at the Complaint stage, just in the four corners of the
11 Complaint, it's sort of difficult for me to reach that
12 conclusion.

13 MR. KANE: Thank you, Your Honor.

14 My one ask, if I may --

15 THE COURT: Sure.

16 MR. KANE: -- and you are free to reject it because
17 you are the Court, is if they could be instructed to address
18 that issue in the next Complaint so we have notice because my
19 understanding is we will probably be unlikely to demur again on
20 this ground. So we need to then probably focus -- or we'll
21 have a scheduling conference and order figuring out how we are
22 going to address it further.

23 Thank you, Your Honor.

24 THE COURT: Thank you.

25 Okay. Ms. Cohen?